

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA**

UNITED STATES OF AMERICA,

Plaintiff,

VS.

**KASHAUN L. LOCKETT and
GARY LOCKETT,**

Defendants.

8:21CR192

ORDER

This matter came before the Court on the defendant, Kashaun Lockett's Motion to Reschedule Trial Date [226]. While the Court has previously ordered that no further continuances will be granted absent extraordinary circumstances, defendant's current counsel entered her appearance after the most recent continuance and is unavailable on the scheduled trial date; co-defendant, Gary Lockett does not object to a continuance after inquiry of his counsel; and the motion is unopposed by the government. Under the circumstances, a relatively short continuance is justified. Accordingly,

IT IS ORDERED that the Motion for Extension of Time (to Continue Trial) [226] is granted, as follows:

1. The jury trial, **for both defendants**, now set for September 25, 2023, is continued to **October 2, 2023**.
2. In accordance with 18 U.S.C. § 3161(h)(7)(A), the court finds that the ends of justice will be served by granting this continuance and outweigh the interests of the public and the defendants in a speedy trial. Any additional time arising as a result of the granting of this motion, that is, the time between **today's date and October 2, 2023**, shall be deemed excludable time in any computation of time under the requirement of the Speedy Trial Act. Failure to grant a continuance would unreasonably deny the defendant continuity of counsel, or would deny counsel the reasonable time necessary for effective preparation, taking into account the exercise of due diligence. 18 U.S.C. § 3161(h)(6), (7)(A) & (B)(iv).
3. **No further continuances will be granted absent extraordinary circumstances.**

DATED: August 15, 2023.

BY THE COURT:

s/ Michael D. Nelson
United States Magistrate Judge